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March 8, 2023

Via **UPS Overnight**

**Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460**

FREEDOM OF INFORMATION ACT REQUEST

Dear Sir or Madam:

Please accept this FOIA request for all documentation your agency has regarding the **February 3, 2023 derailment of Norfolk Southern Train 32N in East Palestine, Ohio, including, but not limited to:**

1. Any and all documents, records, communications or other materials pertaining to the use or ownership of rail cars transported by General Merchandise Freight Train 32N, owned/operated by Norfolk Southern, on February 3, 2023, including but not limited to all records pertaining to the ownership of any such train cars from February 3, 2021 through February 7, 2023.
2. All documents, records and communications regarding planned and actual routes for Train 32N on February 3, 2023, including scheduling and logistics for train cars on Train 32N.
3. All documents, records, and communications regarding planned and actual routes for Train 32N on from February 3, 2021 through February 3, 2023.
4. Any and all documents, records, communications or other materials having to do with inspection, maintenance, overhaul, or repair of Train 32N and any rail cars transported by Train 32N on February 3, 2023 from February 3, 2021 through February 3, 2023.
5. Any and all documents, records, communications or other materials regarding the inspection, maintenance, destruction, removal, or repair of any wayside detectors, including but not limited to any hotbox detectors, located along the route of Train 32N on February 3, 2023, from February 3, 2021 through February 3, 2023.
6. Any and all data collected or available from any wayside detectors, including but not limited to hotbox detectors, located along the route of Train 32N on February 3, 2023, from February 3, 2021 through February 3, 2023.

7. Any and all records, data, videos, documents, or communications from data event recorders on Train 32N.
8. Any and all documents, records, communications or other materials regarding the planned route of Train 32N on February 3, 2023.
9. Any and all documents, records, communications or other materials regarding the operation of the Train 32N on February 3, 2023, including any materials pertaining to the operation of the train following any indication that any part of the train was overheating and any messages and/or warning emitted by the computer systems operating on Train 32N.
10. Any and all documents, records, communications or other materials regarding any effort to prevent the derailment of Train 32N on February 3, 2023.
11. Any and all data, documents, records, or communications regarding the identity or characterization of materials contained within the rail cars of Train 32N on February 3, 2023 and the quantity of each material.
12. Any and all data from any soil, air, water, sediment, and or any other sampling from the East Palestine Derailment Site as that term is defined by the CERCLA Order dated February 21, 2023 (“the CERCLA Order”).¹
13. Any and all documents, records, communications or other materials regarding efforts to address conditions at the East Palestine Train Derailment Site, including but not limited to fire suppression efforts and efforts to monitor and control the temperature of materials located within the derailed rail cars.
14. Any and all documents, records, communications or other materials relating to the planning, preparation, approval, and/or execution of the February 6, 2023 “controlled release,” or “vent and burn,” at the East Palestine Train Derailment Site.
15. Any and all documents, records, communications or other materials regarding the decision to issue and or amend evacuation and shelter in place orders following the train derailment in East Palestine.
16. Any and all data, documents, records, or communications regarding the identity or characterization of materials transferred or removed from the East Palestine Train Derailment Site and the quantity of each material.
17. Any and all documents, records, communications or other materials regarding any clean-up effort of hazardous materials and/or chemicals following the February 3, 2023 derailment of Train 32N, including the East Palestine Train Derailment Site and the surrounding area, including surrounding residences, buildings, soil, air, and water.

¹ The CERCLA order defines the East Palestine Train Derailment site as “the areal extent of where hazardous substances have come to be located, in Ohio and Pennsylvania, as a result of the Norfolk Southern Railway Company train derailment that occurred on February 3, 2023, at the rail line northeast of East Taggard Street and North Pleasant Drive intersection in East Palestine, Columbiana County, Ohio (Latitude: 40.8360395 Longitude: 80.5222838) and the subsequent emergency response activities including, but not limited to, breached rail cars and the controlled ‘vent and burn’ that occurred on February 6, 2023.” This CERCLA order was entered by the EPA in the matter of East Palestine Train Derailment Site East Palestine, Columbiana County, Ohio and can be accessed at CERCLA Docket No. V-W-23-c-004.

18. Any and all data, documents, records, or communications regarding the identity or characterization of materials remaining at the East Palestine Train Derailment Site and the quantity of each material.
19. Any and all documents, records, communications or other materials related to plans for any ongoing and/or future sampling or monitoring at East Palestine Train Derailment Site and surrounding area.
20. Any and all documents, records, communications or other materials pertaining to post-derailment inspection, evaluation, analyses, or test of rail cars, rail car components, train engine, train systems, tracks, and or track components involved in the derailment.
21. Any and all documents containing or referencing data used or relied on in connection with the derailment on February 3, 2023, the February 6, 2023 controlled release, or subsequent remedial and clean-up measures, including but not limited to data concerning the hazardous materials at the East Palestine Train Derailment Site and weather data from the East Palestine Train Derailment Site and surrounding areas.

We will pay any expenses incurred; please notify me if the estimated expenses exceed \$500. Feel free to contact me by mail, email, or phone.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam J. Gomez', with a stylized flourish at the end.

Adam J. Gomez, Esq.
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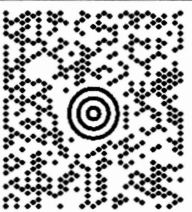
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ADAM GOMEZ
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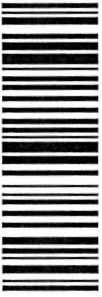
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